

Request For Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

| | |
|------------------------|---------------------|
| Application Number | 10/037,325 |
| Filing Date | January 3, 2002 |
| First Named Inventor | Harry W. Eberle III |
| Art Unit | 3679 |
| Examiner Name | Ernesto Garcia |
| Attorney Docket Number | 0247-5 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments

and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge ~~the following fees~~ any underpayment of fees, or credit any overpayments to Deposit Account No. 503832. I have enclosed a duplicate copy of this sheet.
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 405 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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405.00 OP

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|---------------------|----------------|------------------|-------------------|
| Signature | | Date | February 10, 2009 |
| Name (Print / Type) | Ernest D. Buff | Registration No. | 25,833 |

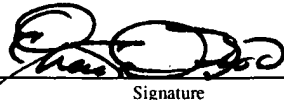
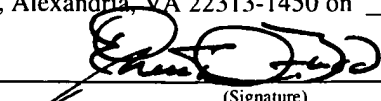
CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

| | |
|---------------------|-------------------|
| Signature | |
| Name (Print / Type) | Ernest D. Buff |
| Date | February 10, 2009 |

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

| | | | | | | |
|--|--|--|---|--|-------------|--------------------------------|
| AMENDMENT TRANSMITTAL LETTER | | | | ATTORNEY'S DOCKET NO.: HWE-107A/0247-5 | | |
| SERIAL NUMBER: 10/037,325 <small>FEB 12 2009</small> | | FILING DATE: January 3, 2002 | | EXAMINER: Ernesto Garcia | | GROUP ART UNIT: 3679 |
| INVENTION: DECKING SYSTEM AND ANCHORING DEVICE | | | | | | |
| INVENTOR(s): Harry W. Eberle, III | | | | | | |
| TO THE ASSISTANT COMMISSIONER FOR PATENTS: Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below. | | | | | | |
| CLAIMS AS AMENDED | | | | | | |
| (1) | (2) CLAIMS REMAINING AFTER AMENDMENT | (3) | (4) HIGHEST NUMBER PREVIOUSLY PAID FOR | (5) NO. OF EXTRA CLAIMS PRESENT | (6) RATE | (7) ADDITIONAL FEE |
| TOTAL CLAIMS | 10 | MINUS | 20 | 0 | X \$25 | \$ 0.00 |
| INDEP. CLAIMS | 2 | MINUS | 4 | 0 | X \$100 | \$ 0.00 |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | | \$ 0.00 |
| <p>* If the entry in column 2 is less than the entry in column 4, write "0" in column 5.</p> <p>** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.</p> <p>*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.</p> <p><input checked="" type="checkbox"/> No additional claim fee is required.</p> <p><input checked="" type="checkbox"/> A Check for \$ <u>405.00</u> is enclosed to cover the fee for a Request for Continued Examination.</p> <p><input type="checkbox"/> The undersigned petitions for a one month time extension for filing this document under 37 C.F.R. 1.136 A Check for \$ _____ Is enclosed to cover the fee for this time extension. A triplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> Charge any additional fees to Deposit Account No. 50-3832</p> | | | | | | |
| <u>February 10, 2009</u> Date | | |  Signature | | | |
| <u>(908) 901-0220</u> Phone | | | <u>Ernest D. Buff</u> Attorney Name | | | |
| <u>25,833</u> Reg. Number | | | <u>25,833</u> Reg. Number | | | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>February 10, 2009</u> . | | | | | | |
|  (Signature) | | | <u>Ernest D. Buff</u> Attorney of Record | | | |
| <u>February 10, 2009</u> (Date) | | | <u>February 10, 2009</u> (Date) | | | |